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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ALKI PARTNERS, L.P. and ALKI FUND, LTD.,

Case No.: 09 CV 8125 (DAB)

Plaintiffs,

- against -

VATAS HOLDING GMBH, LARS WINDHORST,  
PETER A. OGRISEK, SAPINDA INTERNATIONAL  
LTD., ROBERT B. HERSOV, CREDIT SUISSE  
GROUP AG, AND and FREDERIC RUIZ

Defendant.

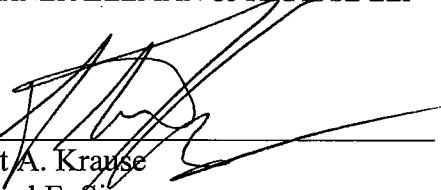
**NOTICE OF MOTION**

TAKE NOTICE that upon the Declaration of Stuart A. Krause dated February 1, 2010, the accompanying Memorandum of Law, the Memorandum of Points and Authorities of defendant Credit Suisse Group AG, and upon all prior pleadings and proceedings had herein, defendant Frederic Ruiz, by its undersigned counsel, will move this Court before the Honorable Deborah A. Batts, United States District Judge, Southern District of New York, at the United States Courthouse, 500 Pearl Street, Room 2510, New York, New York, for an order dismissing plaintiffs' complaint, pursuant to Rules 12(b)(1), 12(b)(2), 12(b)(6) and 9(b) of the Federal Rules of Civil Procedure, and granting such other and further relief as the Court may deem just and proper.

TAKE FURTHER NOTICE that opposition papers, if any, are to be served upon the undersigned within fourteen days of service of this motion.

Dated: New York, New York  
February 1, 2010

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